

Amend Section 80072(a)(8) to read:

80072

PERSONAL RIGHTS

80072

(a) through (a)(7)(B) (Continued)

(8) Not to be placed in any restraining device. Postural supports may be used ~~if they are approved in advance by the licensing agency as specified in (A) through (F) below~~ under the following conditions.

(A) (Continued)

(B) ~~All requests to use postural supports shall be in writing and include a A written order of a from the client's physician indicating the need for such the postural supports shall be maintained in the client's record. The licensing agency shall be authorized to require ~~other~~ additional documentation ~~in order to evaluate the request if needed to verify the order.~~~~

(C) ~~Approved p~~Postural supports shall be fastened or tied in a manner ~~which~~ that permits quick release by the ~~resident~~ client.

(D) ~~The licensing agency shall approve the use of~~ Prior to the use of postural supports that cause the client to become non-ambulatory, the licensee shall ensure that only after the appropriate a fire clearance, as required by Sections 80020(a) or (b), has been secured.

(E) ~~The licensing agency shall have the authority to grant conditional and/or limited approvals to use postural supports.~~

(~~E~~) Under no circumstances shall postural supports include tying of, or depriving or limiting the use of, a ~~resident's~~ client's hands or feet.

1. A bed rail that extends from the head half the length of the bed and used only for assistance with mobility shall be allowed ~~with prior licensing approval.~~ Bed rails that extend the entire length of the bed are prohibited except for clients who are currently receiving hospice care and have a hospice care plan that specifies the need for full bed rails.

(~~G~~) (Continued)

Authority cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, ~~1528,~~ and 1531, Health and Safety Code.

Amend Section 85068.4 to read:

85068.4 ACCEPTANCE AND RETENTION LIMITATIONS (Continued)

85068.4

- (b) The licensee shall not admit, but may retain, persons who are over 59 years of age whose needs are compatible with other clients, if they require the same level of care and supervision as do the other clients in the facility, and the licensee is able to meet their needs.
- (1) Licensees are not required to obtain an exception for clients over the age of 59 as long as the number of persons over the age of 59 does not exceed 50 percent of the census in facilities with the capacity of six and under.
- (2) Licensees are not required to obtain an exception for clients over the age of 59 as long as the number of persons over the age of 59 does not exceed 25 percent of the census in facilities with a capacity of over six.
- (c) Admittance or retention of clients shall be in accordance with the client's Needs and Services Plan, required by Section 85068.2 and the criteria specified in Section 80092, Restricted Health Conditions.

Authority cited: Section 1530, Health and Safety Code.

Reference: Sections 1501, 1507, and 1531, Health and Safety Code.